

## **Judicial Administration Efficiency and Modernization Fund (0556)**

### **Internal Guidelines**

#### **1.0 Overview**

The Judicial Administration Efficiency and Modernization Fund (Modernization Fund) established by Government Code section 77213 as part of the Trial Court Funding Act of 1997 (Stats. 1997, ch. 850), was created to support statewide initiatives for ensuring the highest quality of justice in all of California's trial courts. Monies in the Modernization Fund are to be used for projects that promote improved access, efficiency, and effectiveness in the trial courts.

Government Code section 77213(b) allows the Judicial Council (Council), with appropriate guidelines, to delegate the administration of the Modernization Fund to the Administrative Office of the Courts (AOC).

#### **2.0 Purpose**

In order to meet the critical needs of the courts and enable staff to commit funding on a timely basis, this policy establishes the guidelines by which the Council's Executive and Planning Committee (Executive Committee) is authorized to act on behalf of the Council with regard to the administration of the Modernization Fund, and the administration of the Modernization Fund is delegated by the Council to the AOC pursuant to Government Code section 77213(b) and the California Rules of Court (rule 6.11(d)).

#### **3.0 Guidelines and Procedures**

In accordance with rule 6.11(d), the Executive Committee is hereby authorized to act on behalf of the Council regarding administration of the Modernization Fund, and the Council hereby delegates the administration of the Modernization Fund to the Administrative Director of the Courts (Administrative Director), as director of the AOC, or his/her designee, in accordance with the following guidelines:

##### **3.1 Approved Budget Categories and Projects; Guidelines for Changes**

- A. The Administrative Director must seek input from the Council, at its annual planning meeting, on future direction and program priorities, and consider that input in preparing the proposed budget required by this section.
- B. As soon as practical after passage of the annual state budget act each fiscal year, the Administrative Director or his/her designee must present to the Executive Committee for review and approval a proposed budget of potential programs and projects to be paid from the Modernization Fund. Consistent with statutory requirements, the proposed budget must be divided into three categories:
  - 1. Statewide technology projects, such as case management, human resources, and fiscal management systems;
  - 2. Education and developmental programs; and
  - 3. Pilot projects, special initiatives and ongoing programs.
- C. After approving the proposed budget as presented or as modified by the Executive Committee, the Executive Committee may thereafter amend the budget, including, but not limited to,

approving new projects and programs that create an ongoing obligation on the Modernization Fund.

- D. After the Executive Committee's approval of the proposed budget, the Administrative Director or his/her designee may:
1. Approve new projects and programs during the fiscal year within the approved funding level of each of the three budget categories set forth in section 3.1.B above;
  2. Approve changes to, defer, or eliminate programs or projects in the approved budget, including, but not limited to, changing the amount allocated to the program or project, if the changes, deferrals, or eliminations do not result in a transfer of funding from any budget category to another in excess of that permitted by section 3.1.D.4 below;
  3. Transfer up to 20 percent of the budget from any of the three budget categories in section 3.1.B to any other category; and
  4. Transfer any funding that is unexpended as of May 1 to any program or project that may be funded by the Modernization Fund.
- E. The Administrative Director or his/her designee may approve new projects and programs or take the other actions provided for in section 3.1.D above only if:
1. The new project will benefit one or more courts by implementation, testing, promotion or replication of a program that is intended to improve the administration of the justice;
  2. The new project or other action will be implemented in the most efficient and cost-effective manner;
  3. The new project or other action is consistent with and is intended to further the Council's strategic plan, budget priorities, or operational plan; and
  4. The new project or other action is not prohibited by statute or California Rules of Court.

### **3.2 Reporting on Prior Year Allocations**

As soon as practical after the end of each calendar year, the Administrative Director or his/her designee must prepare, and submit to the Executive Committee for review and approval, an annual report to the Council and the Legislature on prior fiscal year project expenditures paid for from the Modernization Fund. This report must include, by category, the amount allocated, a description of major projects, and the progress towards meeting the outcomes of the approved programs and projects.

### **3.3 Audits**

The Administrative Director may request performance or financial audits of programs or projects paid for from the Modernization Fund.

### **3.4 Delegation Timeframe and Limitation**

The delegation of authority in these guidelines to the Administrative Director will remain in effect unless revoked. The Council may revoke the delegation at any time. The categories in section 3.1.B may only be changed by the Council.